

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle Harbor Springs, MI 49740  
August 9, 2009

Closed Session: yes

Call to Order: Meeting was called to order at: 9:33 a.m.

Opening Ceremony: Beatrice A. Law

Council Present: Legislative Leader Beatrice A. Law, Secretary Regina Gasco Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor Melvin L. Kiogima, Councilor Fred Harrington, Jr., Councilor Marvin Mulholland  
Absent: Councilor Rita Shananaquet, Councilor Alice Yellowbank,

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Frank Ettawageshik, General Counsel James Bransky, Gaming Board of Directors: Chair-Carol McFall, Sherri Patton, Fred Kiogima, Judy Pierzynowski, Gaming Board of Directors Office Manager Cathy Portman, Casino: General Manager Sean Barnard, Properties Operations Barry Laughlin, Hospitality Manager Mike Bojack, Human Resource Director Denise White, Table Games Director Susan Foster, Finance Director Scott Cannady

Guests: Julie Shananaquet, Belinda Bardwell, Oppenheimer and Co. Eben Perison, Fredericks, Peebles and Morgan Tim Kincaid, (guest), Ken Harrington, John Bott, Roy Smithkey, Belinda Bardwell, Aaron Otto

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Motion made by Councilor Mulholland and supported by Councilor Kiogima to adopt the agenda for August 9, 2009 with additions.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to approve the minutes of July 26, 2009 with corrections.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)

Motion carried.

Tribal Elder Comments: Frank Ettawageshik regarding a published book called the Art of Tradition.

1 9:56 a.m. Motion made by Secretary Gasco Bentley and supported by Treasurer  
2 Chingwa to go into closed session for confidential Business matters.

3 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
4 Councilor Yellowbank)

5 Motion carried.

6  
7 10:16 a.m. Motion made by Councilor Harrington, Jr., and supported by  
8 Councilor Mulholland to return to open session

9 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
10 Councilor Yellowbank)

11 Motion carried.

12  
13 10:17 a.m. Motion made by Councilor Harrington, Jr., and supported by  
14 Treasurer Chingwa to go into closed session for attorney client privilege  
15 discussion.

16 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
17 Councilor Yellowbank)

18 Motion carried.

19  
20 12:29 p.m. Motion made by Councilor Mulholland and supported by Councilor  
21 Harrington, Jr., to go out of closed session.

22 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
23 Councilor Yellowbank)

24 Motion carried.

25  
26 12:31 p.m. Public Comment opened: Roy Smithkey Browne spoke regarding  
27 housing complex issues and individual rights.

28 12:39 p.m. Public Comment closed.

29  
30 12:39 p.m. Lunch recess called until 1:50 p.m.

31 1:53 p.m. Meeting reconvened.

32  
33 2:15 p.m. Councilor McNamara arrived.

34  
35 2:35 p.m. Motion made by Councilor Kiogima and supported by Secretary Gasco  
36 Bentley to go into closed session for business purposes.

37 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
38 Councilor Yellowbank)

39 Motion carried.

40  
41 3:00 p.m. Motion made by Secretary Gasco Bentley and supported by Councilor  
42 McNamara to return to open session.

43 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
44 Councilor Yellowbank)

45 Motion carried.

46  
47 3:00 p.m. Recess called.

48 3:06 p.m. Meeting reconvened.

1  
2 3:06 p.m. Public Comment opened: Cathy Portman spoke regarding Casino  
3 employee complaints. Ken Harrington spoke regarding Casino performances and  
4 the Tribal Preference law. Michele LaCount spoke regarding adherence to Tribal  
5 law.

6 3:13 p.m. Public Comment closed.

7  
8 Motion made by Treasurer Chingwa and supported by Councilor Kiogima to  
9 accept the Legislative Leader Law's verbal and written report for August 9, 2009  
10 with confidential items contained therein.

11 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
12 Councilor Yellowbank)

13 Motion carried.

14  
15 Motion made by Councilor McNamara and supported by Secretary Gasco  
16 Bentley to approve Councilor Kiogima's Land and Reservation Chairperson  
17 verbal and written report for August 9, 2009.

18 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
19 Councilor Yellowbank)

20 Motion carried.

21  
22 Motion made by Councilor Harrington, Jr., and supported by Councilor  
23 Mulholland to adopt Tribal Resolution: Casino Debt.

24 Roll Call Vote: Councilor Harrington, Jr., -yes, Councilor Kiogima-yes, Councilor  
25 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
26 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
27 yes, Legislative Leader Law-yes

28 Motion carried.

29  
30 Motion made by Councilor McNamara and supported by Councilor Kiogima to  
31 accept the Legislative Services Attorney Budnick's verbal and written report for  
32 August 9, 2009.

33 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
34 Councilor Yellowbank)

35 Motion carried.

36  
37 Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa  
38 to accept Tribal Chairman Ettawageshik's verbal and written report for August 9,  
39 2009.

40 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
41 Councilor Yellowbank)

42 Motion carried.

43  
44 Motion made by Secretary Gasco Bentley and supported by Councilor  
45 McNamara to adopt Tribal Resolution: Authorization to Grant Easement to Emmet  
46 County for Non-Motorized Trail along Anderson Road.

47 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
48 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,

1 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
2 yes, Legislative Leader Law-yes  
3 Motion carried.

4  
5 Motion made by Councilor McNamara and supported by Treasurer Chingwa to  
6 adopt Tribal Resolution: Supplemental Funding for Elders program for Food and  
7 Utility Assistance.

8 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
9 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
10 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
11 yes, Legislative Leader Law-yes

12 Motion carried.

13  
14 Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to  
15 adopt Tribal Resolution: Funding from the USDA-CSREES, North Central Region  
16 (NCR) Sustainable Agriculture Research and Education (SARE) Little Traverse  
17 Bay Bands of Odawa Indians Sustainable Agriculture Grant Program.

18 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
19 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
20 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
21 yes, Legislative Leader Law-yes

22 Motion carried.

23  
24 Motion made by Treasurer Chingwa and supported by Councilor McNamara to  
25 adopt Tribal Resolution: Request for Funding from the United States Fish and  
26 Wildlife Service, Little Traverse Bay Bands of Odawa Indians Natural Resources  
27 Department 2010 Tribal Wildlife Grant.

28 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
29 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
30 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
31 yes, Legislative Leader Law-yes

32 Motion carried.

33  
34 Motion made by Treasurer Chingwa and supported by Councilor Kiogima to  
35 adopt Tribal Resolution: Funding Renewal from the U.S. Department of Health  
36 and Human Services Indian Health Service Little Traverse Bay Bands of Odawa  
37 Indians 2010 Annual Funding Agreement.

38 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
39 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
40 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
41 yes, Legislative Leader Law-yes

42 Motion carried.

43  
44 Motion made by Secretary Gasco Bentley and supported by Councilor  
45 McNamara to adopt Tribal Resolution: Inter-Tribal Council of Michigan, Inc.  
46 funding from U.S. Department of Health and Human Services, Centers for  
47 Disease Control Little Traverse Bay Bands of Odawa Indians REACH US  
48 Program.

1 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
2 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
3 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
4 yes, Legislative Leader Law-yes

5 Motion carried.

6  
7 Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to  
8 approve Citizenship List A – Eligible for Citizenship dated July 22, 2009 for a total  
9 of 9.

10 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
11 Councilor Yellowbank)

12 Motion carried.

13  
14 Motion made by Secretary Gasco Bentley and supported by Councilor  
15 Mulholland to approve Citizenship List B – Declination (Ineligible) dated July 22,  
16 2009 for a total of 3.

17 Vote: 6 - Yes, 1 – No (Councilor Harrington, Jr.), 0 - Abstained, 2 - Absent  
18 (Councilor Shananaquet, Councilor Yellowbank)

19 Motion carried.

20  
21 Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa  
22 to acknowledge the receipt of Citizenship List C - Relinquishment dated July 22,  
23 2009 for a total of 1.

24 Vote: 6 - Yes, 1 – No (Councilor Harrington, Jr.), 0 - Abstained, 2 - Absent  
25 (Councilor Shananaquet, Councilor Yellowbank)

26 Motion carried.

27  
28 Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley  
29 to approve Citizenship Statute Regulations REG-WOS 2008-006 072809-002.

30 Vote: 6 - Yes, 1 – No (Councilor Harrington, Jr.), 0 - Abstained, 2 - Absent  
31 (Councilor Shananaquet, Councilor Yellowbank)

32 Motion carried.

33  
34 Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley  
35 to disapprove the Michelle Chingwa Education Assistance Scholarship  
36 Regulations REG-WOS 2007-05 080709-005.

37 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
38 Councilor Yellowbank)

39 Motion carried.

40  
41 Motion made by Treasurer Chingwa and supported by Councilor Mulholland to  
42 approve Michelle Chingwa Education Assistance Scholarship Regulations REG-  
43 WOS 2007-05 080809-006.

44 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
45 Councilor Yellowbank)

46 Motion carried.

1 Motion made by Treasurer Chingwa and supported by Councilor Kiogima to  
2 disapprove the Business Registration Regulations REG-WOS 2006-009 080709-  
3 002.

4 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
5 Councilor Yellowbank)

6 Motion carried.

8 Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley  
9 to approve Business Registration Regulations REG-WOS 2006-009 080809-003.

10 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
11 Councilor Yellowbank)

12 Motion carried.

14 Motion made by Councilor Kiogima and supported by Councilor Mulholland to  
15 adopt Tribal Resolution Strategic Plan for Tribal Land Acquisition.

16 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor  
17 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
18 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
19 yes, Legislative Leader Law-yes

20 Motion carried.

22 Motion made by Councilor Mulholland and supported by Secretary Gasco  
23 Bentley to adopt Tribal Resolution: Firearm Prohibition.

24 Roll Call Vote: Councilor Harrington, Jr. -no, Councilor Kiogima-yes, Councilor  
25 McNamara-no, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
26 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
27 yes, Legislative Leader Law-yes

28 Motion carried.

30 Motion made by Secretary Gasco Bentley and supported by Councilor  
31 Mulholland to pass the Disclosure of Public Documents Statute.

32 Roll Call Vote: Councilor Harrington, Jr. -no, Councilor Kiogima-yes, Councilor  
33 McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,  
34 Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-  
35 yes, Legislative Leader Law-yes

36 Motion carried.

38 5:35 p.m. Motion made by Councilor Harrington, Jr. and supported by Councilor  
39 McNamara to reject all pending regulations and remove all pending legislation  
40 from the Legislative calendar and adjourn.

41 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet,  
42 Councilor Yellowbank)

43 Motion carried.

1 These Minutes have been read and approved as written (or) corrected: (delete  
2 either the word "written" or "corrected" as pertains to how the minutes were  
3 approved.)  
4  
5  
6

7 \_\_\_\_\_  
8 Regina Gasco Bentley, Tribal Council Secretary

\_\_\_\_\_  
Date

DRAFT